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(to be used for all correspondence after initial filing)

Application Number 10/609,385

Filing Date July 1, 2003

First Named Inventor DOWNING, STEPHEN W.

Group Art Unit 3734

Examiner Name Nguyen, Vi X.

Total Number of Pages in This Submission 3

Attorney Docket Number UOMB-001DIV

ENCLOSURES (check all that apply)

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Response to Restriction Requirement dated 10.12.06 (2 pgs.)
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Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Signing Attorney/Agent (Reg. No.)

GERI N. ROCHINO, 58,147
BOZICEVIC, FIELD & FRANCIS, LLP

Signature

Geri N. Rochino

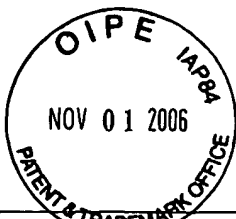
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November 1, 2006

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This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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RESPONSE TO RESTRICTION REQUIREMENT Address to: Mail Stop Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	Docket No.	UOMB-001DIV
	Application No.	10/609,385
	Confirmation No.	9385
	Filing Date	July 1, 2003
	Examiner	Nguyen, VI X
	Group Art Unit	3734

Sir:

This communication is submitted in response to the Office Action mailed October 12, 2006, which set a one month period for response. Accordingly, this response is timely filed on or before November 12, 2006.

The Examiner has set out a Restriction Requirement, and required election of one of the following groups of claims:

- Group I Claims 1-15, drawn to a cardiac port for insertion through a wall of a heart chamber including a housing, a valve and an inlet connects to the housing, classified in class 606, subclass 228;
- Group II Claims 30-37, 41-47, 54-55 and 48-53, drawn to a method for performing mitral valve annuloplasty, classified in class 623, subclass 2.36;
- Group III Claims 38-40, drawn to a system for performing annuloplasty including staples, suture or a band of material to be stapled to a mitral valve, classified in class 623, subclass 2.38.

Applicant hereby elects to prosecute the claims of Group III, Claims 38-40, without traverse.

The Applicant expressly reserves the right under 35 USC §121 to file a divisional application directed to the non-elected subject matter or any subject matter disclosed in this application during the pendency of this application.

The Commissioner is hereby authorized to charge any fees under 37 C.F.R. §§ 1.16 and 1.17 which may be required by this paper, or to credit any overpayment, to Deposit Account No. 50-0815, order number UOMB-001DIV.

Respectfully submitted,
BOZICEVIC, FIELD & FRANCIS LLP

Date: 11-1-06

By: Geri N. Rochino

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